

**Progression to Examination Decision Document**



**Neighbourhood Planning (General) (Amendment) Regulations 2012**

Name of neighbourhood area	Belmont Rural Neighbourhood Area
Parish Council	Belmont Rural Parish Council
Draft Consultation period (Reg14)	10 February to 9 March 2015
Submission consultation period (Reg16)	2 November to 14 December 2016

**Determination**

Is the organisation making the area application the relevant body under section 61G (2) of the 1990 Act		Yes
Are all the relevant documentation included within the submission <ul style="list-style-type: none"> <li>• Map showing the area</li> <li>• The Neighbourhood Plan</li> <li>• Consultation Statement</li> <li>• SEA/HRA</li> <li>• Basic Condition statement</li> </ul>	Reg15	Yes
Does the plan meet the definition of a NDP - 'a plan which sets out policies in relation to the development use of land in the whole or any part of a particular neighbourhood area specified in the plan'	Localism Act 38A (2)	Yes
Does the plan specify the period for which it is to have effect?	2004 Act 38B (1and 2)	Yes
Are any 'excluded development' included? <ul style="list-style-type: none"> <li>• County matter</li> </ul>	1990 61K / Schedule 1	No

<ul style="list-style-type: none"> <li>Any operation relating to waste development</li> <li>National infrastructure project</li> </ul>		
Does it relation to only one neighbourhood area?	2004 Act 38B (1 and 2)	Yes
Have the parish council undertaken the correct procedures in relation to consultation under Reg14?		Yes
<p>Is this a repeat proposal?</p> <ul style="list-style-type: none"> <li>Has an proposal been refused in the last 2 years or</li> <li>Has a referendum relating to a similar proposal had been held and</li> <li>No significant change in national or local strategic policies since the refusal or referendum.</li> </ul>	Schedule 4B para 5	No

#### Summary of comments received during submission consultation

Herefordshire Council – Strategic Planning	Confirm that the plan is in general conformity with the Core Strategy. See appendix 1 for details
Herefordshire Council – Environmental Health	No comments to make with regards to the proposed plan
Herefordshire Council - Transportation	<p>Like to see mention of a cycle link as part of the Home Farm Management Plan – specifically the triangle, such as a link extending form the Belmont Cycleway west of Dorchester Way, across Abbey View (green space 1) to Belmont Abbey so it would be helpful to include within Policy 2b.</p> <p>Appreciate SS4 and HD4 might indirectly include this but if wish to protect Home Farm then need a way for it to be conditioned on neighbouring developments.</p>
Natural England	Natural England does not have any further specific comments on this regulation 16 neighbourhood development plan consultation.
Historic England	<p>Are supportive of the content of the document and consider that it takes a suitable proportionate approach to the historic environment of the area.</p> <p>No substantive comments to make</p>
Coal Authority	No specific comments to make

National Grid	No records of apparatus within the neighbourhood plan area.
Dwr Cymru/ Welsh Water	Given the small level of proposed housing growth, Welsh Water have no further comments to make.
Michael Davies  Savills	<p>Acting on behalf of Golf Inns Ltd owners of the former Belmont Golf Course and the area of agricultural land to the south of the golf course.</p> <p>44 hectares of the 84 hectares of site fall within the Belmont Rural parish boundary. Majority of the land falls within Belmont House unregistered park and garden. In the Belmont NDP includes this area under Policy 3 and Policy 2.</p> <p>Para 4.2 – adoption date for the Core Strategy is incorrect</p> <p>Para 5.1 – Whilst welcome the PC’s general support for growth around the western relief road, the blanket requirement for green areas and open spaces to be protected is unjustified. Further evidence is required on why the parish council proposes this blanket protection.</p> <p>Policy 2 – Assumptions made based on planning appeal (APP/W1850/A/13/2192461) are flawed. Landscape Specialist have assessed how the western relief road will affect the sensitivity of the Belmont unregistered parkland landscape. They concluded that the overall effect will lower the sensitivity of the landscape.</p> <p>Object to Policy 2 – ‘part a’ – clients land is not part of the ‘triangle’ subject to the appeal and therefore should not be referred to as ‘the triangle’. Clients land is not publicly accessible and should not have the same level of protection from development.</p> <p>‘Part c’ – When the western relief road is built, the land around it will become an even more accessible and sustainable location which could be developed to help support the future growth of Hereford.</p> <p>Policy 3 – welcome support for development of the former Belmont Golf Course. However strongly object to the development boundary on Figure 5 as it is not justified and fails to take account of the western relief road. To date Golf Inns Ltd and other surrounding landowners have not been engaged during the preparation of this plan to consider the potential opportunities this area could bring to the wider community.</p> <p>Point f – is not an accurate reflection of the status of the site and potentially misleading. The site is in flood zone 1 and the land most at risk of flooding is to the north of the site boundary show in Fig 11.</p> <p>Object to the requirement that the development of the former golf course must re-use and convert the existing buildings. This is</p>

	<p>overly restrictive, unjustified and has not taken account of the existing internal layout, condition or viability of re-use. English Heritage concluded that grant aid and/or enabling development will be needed to resolve significant problems associated with Belmont House. Consider that opportunity for engagement with the PC to consider viable ways to use the land and rejuvenate Belmont House.</p> <p>Policy 5 – Strongly object that there is no evidence to support this approach or take account of how the western relief road will change the context of the plan. Could provide a new strategic opportunities. New development proposals at this location will be sustainable, accessible and able to contribute to new infrastructure. Golf Inns would like to engage collaboratively with the PC and agree on the most appropriate treatment of their land in the context of the Western road.</p> <p>Point c – it is unclear as to what the PC mean by 'useable garden space'</p> <p>Policy 6 – no reference to the western relief road within the policy itself.</p> <p>Policy 7 – object as currently no support shown by the PC in relation to the former Belmont Golf Course to consider all uses and invest in Belmont House.</p>
<p>Richard Agnew Gladman</p>	<p>Considered that some of the policies are currently not in accordance with the NPPF and there is a lack of proportionate robust evidence to justify the inclusion of some policies. Currently the BRNP is not planning to help meet the needs of Hereford which may result in the need for a Local Plan review.</p> <p>Policy 1 – appears that sufficient evidence has not been undertaken to demonstrate whether the parcels of land identified under this policy meet the three test required by national planning policy.</p>

**Please note the above are summaries of the response received during the submission consultation. Full copies of the representations will be sent to the Examiner in due course.**

#### **Officer's Appraisal**

There were only a few comments made to this NDP, the majority of which had no further comments to make. There are two representations made concerning Policy 1, 2, 3 and 5, these issues can be reviewed as part of the examination process.

**Assistant Director's comments**

**Decision under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.**

**The decision to progress to appoint an examiner for the above neighbourhood plan has been approved.**

A handwritten signature in blue ink, appearing to read 'Richard Gabb', with a large, sweeping flourish above the name.

**Richard Gabb**

**Programme Director – Growth**

Date: 19 December 2016

**Appendix 1 Herefordshire Council Strategic Planning Team**

Date: 15/12/16

<b>Draft Neighbourhood plan policy</b>	<b>Equivalent CS policy(ies) (if appropriate)</b>	<b>In general conformity (Y/N)</b>	<b>Comments</b>
Policy 1- Open Space	OS1-OS3, LD3	Y	
Policy 2- Protecting Home Farm and the Land Adjacent to Ruckhall Lane	LD1, LD2, LD4	Y	
Policy 3- Belmont Golf Course	LD1, LD4, HD5, SS4	Y	
Policy 4- Community Facilities	SC1	Y	
Policy 5- Infill Housing	SS2, H1, H3	Y	The impact that point D may have on parking issues is questionable. Whether annexes to properties are sold off as a separate property or not- there's still a likelihood the occupier will own a car.
Policy 6- Accessibility and Connectivity	MT1	Y	
Policy 7- Supporting small and medium businesses in Belmont Rural	E1, E3	Y	

**Other comments/conformity issues:**

The issues highlighted at Regulation 14 consultation stage would appear to have been addressed and the plan is in conformity with the policies of the Local Plan Core Strategy.